IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 11768 of 2004

Between:

M. Lakshmi Prasanna, W/o. Ravindra Reddy,aged 34 yrs
R/o. Dachuru Village, Kaluvoy Mandal, Nellore District.

..... PETITIONER

AND

1 The Joint Collector, Nellore.
2 The Revenue Divisional Officer, Nellore.
3 The Mandal Revenue Officer, Kaluvoy.
4 J. Suresh, S/o. Harinath, R/o. Dachuru Village, Kaluvoy Mandal, Nellore District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ, more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in not passing the orders either on the Stay Petition or on Appeal filed by the petitioner on 2-7-2004 under clause 20(1) of A.P. State Public Distribution System Control Order, 2001 against the orders of the 2nd respondent in proceedings D.Dis.5095/2004, dated 27-6-2004, as illegal, arbitrary and against the provisions of the A.P. State Public Distribution System Control Order 2001 and further declare the order of the 2nd respondent dated 27-6-2004 as illegal arbitrary and violative of Article 14 of the Constitution of India and set-aside the same

For the Petitioner:MR.V.SUDHAKAR REDDY,Advocate

For the Respondents.: GP FOR CIVIL SUPPLIES

The Court Made the Following :

ORDER

This Writ Petition is filed by the petitioner aggrieved by the in action of the first respondent in passing any orders on the stay petition pending disposal of the appeal, which was filed against the order of the second respondent appointing the fourth respondent as Fair Price Shop Dealer at Dachuru-1 .

2. According to the petitioner, she is one of the applicant along with the fourth respondent. Though there were five other candidates, only the petitioner and the fourth respondent have appeared for interview. The candidature of the petitioner was rejected without consideration only on the ground that the petitioner's father-in-law is working as fair price shop dealer in respect of the fair price shop, Dachuru-1. According to the petitioner, the petitioner's father-in-law and the petitioner's husband got separated about eighteen years back. Therefore, there is no connection between the petitioner and the petitioner's father-in-law to deny even the consideration of the petitioner for being appointed as authorized dealer. The further grievance of the petitioner is that an appeal was filed against the said order. But the first respondent failed to pass any orders even on the stay petition. Hence the present Writ Petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader.

4. In view of the pendency of the appeal filed by the petitioner before the first respondent, it is appropriate to dispose of the main appeal

itself expeditiously.

5. In the above circumstances, the appeal is directed to be disposed of within a period of four weeks from the date of receipt of the copy of this order. Pending disposal of the appeal, the second respondent is directed to maintain staltusquo as on today.

09-07-2004.

Note: Issue C.C. in two days

(BO)

Hsd/Kvh

ASSISTANT REGISTRAR

// TRUE COPY//

, SECTION OFFICER

To,

1 TheJointCollector,Nellore.
2 TheRevenueDivisionalOfficer,Nellore.
3 TheMandalRevenueOfficer,Kaluvoy.

4. 2 C.Cs to G.P. for Civil Supplies,High Court buildings,High Court of AP,Hyderabad (OUT)

5. 2 C.D.copies.